

Excerpts from January 15, 1999 Staff Report on
U.S. Fish and Wildlife Service's Proposed North Delta National Wildlife Refuge

STATUS OF THE PROPOSED REFUGE: The U.S. Fish and Wildlife Service (Service) is planning the North Delta National Wildlife Refuge. The decision to create a new refuge will rest with the Regional Director of the Service in Portland, Oregon, upon completion of the planing and environmental compliance process.

DESCRIPTION OF THE FOUR ALTERNATIVES:

Alternative One: 42,000 Acre Refuge. Alternative One would include all of the Yolo Bypass from the southern boundary of the Department of Fish and Game's Yolo Basin Wildlife Area to the southern end of the Yolo Bypass at the confluence of Cache Slough, Sacramento River, and Steamboat Slough. The Refuge would include land in fee title and privately-owned lands under conservation easements. Approximately 39,000 acres of the proposed boundary is currently in agriculture; 4,500 acres is seasonally flooded and tidally influenced wetlands; 500 acres is shaded riverine aquatic habitat; 500 acres is riparian habitat; 1,500 acres is levees, dikes and roads. Lands within the City of Rio Vista and Hastings Tract have been dropped from the study area.

Alternative Two: 7,800 Acre Refuge. Alternative Two would include Prospect (1,228 acres), Little Holland (1,640 acres), and Liberty (4,760 acres) Islands. Approximately 3,000 acres of Liberty is presently in agriculture, the remainder is tidally influenced wetlands with associated riparian habitat. There are 300 acres in levees and roads.

Alternative Three: 33,000 Acre Refuge. Alternative Three includes lands covered by existing easements within the North Central Valley Wildlife Management Area. Approximately 26,000 aces of the proposed refuge is in agriculture, and 3,500 acres of seasonally flooded, tidally influenced wetlands. The Service, Department of Fish and Game, Natural Resources Conservation Service, and other Federal and State agencies are actively acquiring easements in this area. This alternative leaves non-refuge lands north of the Yolo Bypass duck clubs and south of the Yolo Bypass Wildlife Area.

Alternative Four: 14,000 Acre Refuge. Alternative Four focuses on lands in the southern Yolo Bypass which could easily be converted to tidal wetlands. Approximately 11,000 acres of the proposed refuge are in agriculture. The remaining lands are privately owned duck clubs, tidally influenced wetlands, and levees and roads. This alternative does not include duck clubs in the Yolo Bypass.

PROPERTY OWNERSHIP:

The Service may not acquire land until environmental review has been completed. Prospect Island was acquired by the Bureau of Reclamation in 1995 (1,228 acres); the Port of Sacramento owns 310 acres at the southern tip of Prospect Island; the Department of Fish and Game owns 35 acres on the southern edge of Prospect Island. Most lands are in private ownership.

DESCRIPTION OF THE SITE:

The Yolo Bypass is a floodway created by the State and Federal governments in the 1950's and is part of the Sacramento River Flood Control Project. The flood easements in the Bypass were purchased at that time and are held by the State Reclamation Board. The purpose of the Yolo Bypass is to promote swift movement of flood waters from the Sacramento River through the Valley and into the Bay. The flood easements preclude construction of buildings in the Bypass, and also restrict the type of vegetation in the Bypass. The Sacramento Deepwater Ship Channel was constructed after the Bypass was developed.

USES OF THE SITE:

There are no permanent structures in the area; all land is in agriculture, or in private duck clubs.

SURROUNDING LAND USES:

Cache Slough Mitigation Area: 176 acre island at the confluence of Shag Slough and Cache Slough was restored as mitigation for the Sacramento Bank Protection Project.

Stone Lakes National Wildlife Refuge: planned to be up to 18,000 acre refuge including federal, State, and private lands. The Refuge is eight miles due east of the study area.

Vic Fazio (Yolo Basin) Wildlife Area: a 3,600 acre State Wildlife Management Area to the north of the study area.

Central Valley Habitat Joint Venture: a cooperative effort of nonprofit groups and State and Federal agencies to implement the North American Waterfowl Management Plan. Approximately 3,300 acres of conservation easements have been acquired by the State and federal agencies on privately-owned duck clubs within the study area.

HISTORY OF FLOODING:

The entire Yolo Bypass is designed and managed to flood in high flow years.

PURPOSE OF THE PROJECT:

The primary management focus for the proposed refuge is wildlife and habitat protection and management. The project will provide the opportunity to transform much of the Bypass into a diverse mosaic of agriculture, wetlands, riparian forests, oak woodlands, and grasslands. The Service will provide high-quality, safe, and accessible wildlife-dependent interpretive, recreational, and educational opportunities within the capabilities of available staff and budget.

PROPOSED GOALS OF THE NORTH DELTA NATIONAL WILDLIFE REFUGE:

Manage and restore the riparian plant community, seasonally flooded wetlands, tidally-influenced wetlands, and tidal open water for federally listed species such as the valley elderberry longhorn beetle, winter-run Chinook salmon, California red-legged frog, delta smelt, giant garter snake, delta green ground beetle, vernal pool fairy shrimp, and the Sacramento splittail.

Preserve a natural diversity and abundance of flora and fauna, with an emphasis on neotropical migrants.

Provide optimal feeding and restoring habitat for wintering waterfowl, and other migratory water and shorebirds.

Provide compatible wildlife-dependent recreational uses, such as wildlife observation and photography, environmental education and interpretation, hunting, and fishing, and management-oriented research.

REVENUE SHARING

Using a formula set out in the Revenue Sharing Act (Public Law 95-469), the Service will offset property tax losses to local government.

NEARBY PENDING AND PROPOSED PROJECTS:

Prospect Island: Restoration of Prospect Island to tidal action is a separate project which is currently being pursued by the Corps of Engineers. The Service would manage the site after it has been restored to tidal action. This site is the nucleus of the North Delta National Wildlife Refuge.

Liberty Island: The Service received a \$8.5 million CALFED grant to acquire the site.

Hastings Tract: Hastings Tract has received CALFED grants for installation of fish screens on intakes, for relocation of intakes from Cache Slough to Lindsey Slough; and to restore 2,000 feet of levee bank and shaded riverine aquatic habitat.

Corridor from Jepsen Prairie Preserve to Prospect Island: The Solano County Farmland and Open Space Foundation received a CALFED grant to design a habitat corridor between the Preserve and Prospect Island.

Yolo Bypass: Two studies have been funded in the Yolo Bypass: a study to provide data and technical recommendation on Bypass modification to protect stranded fish, and a study to develop an implementation strategy for environmental restoration in the Bypass.

Little Holland Tract: Little Holland Tract flooded in 1983; after prolonged negotiations over regulatory issues, the Corps has been negotiating to acquire the site, however, no agreement has yet been reached.

ISSUES: The following issues were raised in public meetings held in March and July of 1998:

Impacts to Agriculture: Impacts to agriculture and the regional economy will be addressed in the consultant's report being prepared as part of the environmental document.

Impacts to Levee Maintenance: Reclamation Districts have asked for assurances that if the Service acquires portions of an island/reclamation district, the federal government would continue to pay assessments required to maintain levees.

Impacts to Floodwater Conveyance: Impacts to floodwater conveyance will be addressed in the consultant's report being prepared as part of the environmental document.

Protection and Restoration of Wetlands: Comments have been made in support of the proposed project; comments support linkage with other established wildlife habitat areas (Suisun Marsh, Cosumnes Preserve, etc).

Increased Fisheries Habitat in the Delta: Comments have been made in support of the proposed project to create fisheries habitat. Hydrologic modeling will address issues associated with entrainment of endangered species and entrapment of endangered species. Concerns have been raised that increased numbers of endangered species would affect ability of landowners and water districts to pump in this area.

Compatible Public Use: Focus will be interpretation, recreation, and education. Likely to allow continued hunting, fishing, and boating.

Landowner Property Rights: The Service has identified that acquisition in the new Refuge will be "willing seller only". Concerns have been raised that the refuge could impact land management practices on adjacent privately-owned lands. Concerns were raised that wetland habitat as a neighbor would adversely impact agricultural land values. Concerns were raised about possible off-site impacts, such as seepage.

PROJECT ISSUES:

The following issues are deemed significant by the Service and will be addressed in the environmental document: **Biological Issues** including the need to restore and enhance wildlife resources in the Delta; improved water quality by providing tidally influenced wetland for filtering and sediment deposition; and concerns that the new refuge would require surrounding farmers to screen diversions and pumps to prevent loss of increased presence of threatened and endangered species. **Social and Economic Issues** including: impacts to local taxes; loss of agricultural lands and loss of revenues to local communities; and need for appropriate recreation. **Flood Concerns** including: possible increased potential flooding in surrounding areas, and enhanced flood flow capability through the Bypass by removing strategic levees.

The Service has determined that the following issues do not warrant detailed analysis in the environmental document: **Land Ownership/Land Use:** impacts on private property (trespassing); fiscal impacts to reclamations districts due to federal ownership of property (the Service will sign agreements to pay proportionate fees); and acquisition of lands could lower value of existing farm lands. **CALFED Relationship:** The Service believes there is no direct connection between the CALFED program and the Service's authority to establish a refuge; specific management plans will be developed later in the refuge planning process; and lands would be acquired from willing sellers only.

DELTA PROTECTION COMMISSION

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February 23, 1999

U.S. Fish and Wildlife Service
2233 Watt Avenue, Suite 375
Sacramento, CA 95825

Attention: John Castellano, Wildlife Biologist

Subject: Proposed North Delta National Wildlife Refuge

Dear Mr. Castellano:

Thank you very much to you and your associates with the Service for briefing the Commission on the proposed North Delta National Wildlife Refuge at the Commission's January 28, 1999 meeting. You can understand that this is an important regional issue based on the level of interest expressed by the Commission.

I am writing to you to summarize the comments from the Commission as presented at the meeting. These comments should be considered along with the staff comments on the proposed refuge submitted to you in August, 1998.

First, there were a number of issues regarding potential and planned recreational uses in the Refuge. There was a great interest that existing uses, such as hunting be allowed to continue. There was also interest that new uses be allowed to follow reintroduction of water to current land areas--boating, and that acquisition of private lands would be followed by a program allowing public use. The type, nature and location of proposed public recreational uses should be described in the proposed environmental document.

Second, there were a number of comments about impacts to agriculture in the Delta region. These comments ranged from concern about regional economic impacts due to the possible conversion of many thousands of acres of land from agriculture to refuge, local fiscal impacts associated with loss of property taxes and associated sales taxes, and possible impacts to remaining, nearby agricultural lands. Possible impacts to nearby lands include seepage impacts, limits to on-going agricultural activities, and possible new requirements to screen intakes as a

result of possible impacts to threatened and/or endangered aquatic species. You explained that the environmental document will include a special economic impact analysis currently under preparation by Jones and Stokes; the analysis should address issues raised by Delta Protection Commission members.

There were additional comments regarding wildlife habitat and the coordination of this wildlife habitat enhancement program with other programs such as local habitat conservation planning in Yolo County, local government mitigation requirements, and larger regional programs such as CALFED. The Refuge's relationship to these other programs should be described in the environmental document.

I look forward to reviewing the environmental document for the proposed refuge. Again, thank you for the opportunity to submit comments on the proposed Refuge. Please call if you have any question about these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Margit Aramburu", followed by a horizontal line.

Margit Aramburu
Executive Director

cc: Delta Protection Commission